



General Assembly

***Substitute Bill No. 5826***

*February Session, 2000*

***An Act Concerning Paperless Arrest Warrants.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 54-2a of the general statutes is repealed and the following is  
2       substituted in lieu thereof:

3       (a) In all criminal cases the Superior Court, or any judge thereof,  
4       may issue (1) bench warrants of arrest upon application by a  
5       prosecutorial official if the court or judge determines that the affidavit  
6       accompanying the application shows that there is probable cause to  
7       believe that an offense has been committed and that the person  
8       complained against committed it, (2) subpoenas for witnesses, (3)  
9       capias for witnesses and for defendants who violate an order of the  
10      court regarding any court appearance, and (4) all other criminal  
11      process; and may administer justice in all criminal matters.

12      (b) The court or judge issuing a bench warrant for the arrest of the  
13      person or persons complained against [ ] shall, in cases punishable by  
14      death or life imprisonment, set the conditions of release or indicate that  
15      the person or persons named in the warrant shall not be entitled to bail  
16      and may, in all other cases, set the conditions of release. The conditions  
17      of release, if included in the warrant, shall fix the first of the following  
18      conditions [ ] which the court or judge finds necessary to assure such  
19      person's appearance in court: (1) Written promise to appear; (2)  
20      execution of a bond without surety in no greater amount than

21 necessary; or (3) execution of a bond with surety in no greater amount  
22 than necessary.

23 (c) In lieu of a warrant for the rearrest of any defendant who fails to  
24 appear for trial at the place and time specified or on any court date  
25 thereafter the court or judge may issue a capias.

26 (d) All process issued by said court or any judge thereof shall be  
27 served by any proper officer, or an indifferent person when specially  
28 directed to do so, and shall be obeyed by any and all persons and  
29 officers to whom the same is directed or whom it may concern.

30 (e) Whenever an arrest warrant is issued under this section, the  
31 court or judge may cause such warrant to be entered into a central  
32 computer system. Existence of the warrant in the computer system  
33 shall constitute prima facie evidence of the issuance of the warrant.  
34 Any person named in the warrant may be arrested based on the  
35 existence of the warrant in the computer system and shall, upon any  
36 such arrest, be given a copy of the warrant.

**JUD Committee Vote:** Yea 39 Nay 0 JFS